

REMARKS

Summary of Office Action

Claims 1-28 and 30-38 are pending in this application.

Claims 11, 13-14, 17-18, and 33 were rejected under 35 U.S.C. § 102(e) as being unpatentable in view of Watanabe U.S. Patent No. 4,887,161 (hereinafter "Watanabe").

Claims 15, 16, 19, 22, and 34-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Freeman U.S. Patent No. 6,068,183 (hereinafter "Freeman").

Claims 30-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Ray U.S. Patent No. 5,321,751 (hereinafter "Ray").

Claims 25-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Freeman and Hornback PCT WO 99/56463 (hereinafter "Hornback").

Claims 20, 21, 23, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Freeman and Rowland U.S. Patent No. 5,801,970 (hereinafter "Rowland").

Claims 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Hornback.

Claims 1 and 4-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Freeman and Etoh U.S. Patent No. 5,728,289 (hereinafter Etoh).

Claims 2 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Freeman, Etoh, and Rowland.

Claims 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe, Freeman, Etoh and Hornback.

Summary of Applicant's Amendments

Applicant has amended claims 1, 4, 5, 8-18, 30-36 without prejudice and solely in order to expedite prosecution.

Applicant's Response to the Rejection Under 35 U.S.C. § 102(b) In view of Watanabe

Claims 11, 13-14, 17-18, and 33 were rejected under 35 U.S.C. § 102(e) as being unpatentable in view of Watanabe.

Watanabe discusses a memory cartridge having a display device. Watanabe's memory cartridge is utilized by a camera.

Claim 11

Applicant's invention of claim 11 includes an electronic photo album that includes a display. Images are received by a computer, having a display, and are provided to a memory of the electronic photo album.

The Examiner stated that Watanabe discusses "a computer ... controller 11 and signal processor 16 of digital camera 10)" (Office Action, page 3).

Watanabe, however, does not show or suggest a computer having a display operable to display a digital image. In fact, Watanabe cannot be combined with any computer having a display as the spirit of Watanabe is focused on providing a memory cartridge with a display such that the camera of Watanabe does not include a display - let alone a display operable to display a digital image.

For at least the above reasons, applicant respectfully submits that that the Examiner's rejection of claim 11, and any claims dependent therefrom, in view of Watanabe be withdrawn.

Claim 33

Applicant's invention of claim 33 includes patentable features similar to patentable features included in

claim 11. Accordingly, applicant respectfully submits that that the Examiner's rejection of claim 33, and any claims dependent therefrom, in view of Watanabe be withdrawn.

Applicant's Response to the
Rejection Under 35 U.S.C. § 102(e)
In view of Watanabe and Freeman

Claims 15, 16, 19, 22, and 34-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Freeman.

Watanabe discusses a camera that includes a memory cartridge having a display.

Freeman discusses a chip card.

Claim 19

Applicant's invention of amended claim 19 includes user-provided digital images utilized in conjunction with a flexible display.

Watanabe and Freeman directly contradict, and teach away, from one another. Freeman does not show or suggest user-provided digital images. Particularly, Freeman allegedly discusses securely transmitting information to the chip card of Freeman such that a user is prohibited from providing user-provided images to the chip card. Watanabe merely allows a

camera to store a captured image in a memory cartridge. By combining Watanabe and Freeman, the spirit of both the Watanabe and the Freeman devices are utterly eviscerated. The Examiner cannot pick and chose elements of unrelated devices and put them together as the Examiner sees fit to create a new, unrelated device. Doing so, is merely hindsight reconstruction.

Additionally, for example, Watanabe and Freeman are precision devices. Mutilating each of the Watanabe and Freeman devices into a new device merely mutilates, for example, the operation and size of the devices and renders a new, inoperable device.

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claim 19, and any claims dependent therefrom, in view of Watanabe be withdrawn.

Claims 22

Applicant's invention of claim 22 includes user-provided digital images. As shown above in connection with claim 22, Watanabe and Freeman cannot be combined as suggested by the Examiner.

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claim 22, and any claims dependent therefrom, in view of Watanabe be withdrawn.

Claims 36

Applicant's invention of claim 36 includes user-provided digital images. As shown above in connection with claim 36, Watanabe and Freeman cannot be combined as suggested by the Examiner.

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claim 36, and any claims dependent therefrom, in view of Watanabe be withdrawn.

Applicant's Response to the Rejection Under 35 U.S.C. § 103(a) In view of Watanabe and Ray

Claims 30-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Ray.

Applicants invention of claim 30 includes a credit card having a display and user-provided images.

Watanabe discusses a camera having a memory cartridge with a display.

Ray discusses a credit card that stores information that can be extracted and converted into a single image. Ray does not discuss a display.

The Examiner stated that "Watanabe further suggests that other various applications are possible" (Office Action, page 9).

The combination of Watanabe and Ray is absurd. Watanabe and Ray cannot be combined in any way, shape, or form. Ray is a credit card. Watanabe is a camera memory cartridge.

Ray directly teaches away from the inclusion of any display as the Ray device stores image data that needs to be extracted from the Ray device and converted into a digital image. The Ray device also cannot manipulate any information stored on the Ray device - the Ray device is allegedly read-only and, as such, offers security benefits for Ray's credit card verification scheme. Similarly, Watanabe teaches away from providing credit card information or including a magnetic strip as a way to access information. Watanabe allegedly provides a camera that can write to a memory cartridge at any time.

The combination suggested by the Examiner completely eviscerates the spirit of each of the Watanabe and Ray devices. The Examiner cannot simply pick and chose elements of unrelated device and combine them to form a new, unrelated device. Doing so, is merely hindsight reconstruction.

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claim 36, and any claims dependent therefrom, in view of Watanabe and Ray be withdrawn.

Applicant's Response to the
Rejection Under 35 U.S.C. § 102(e)
In view of Watanabe, Freeman, and Etoh

Claims 1 and 4-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Freeman and Etoh.

Applicant's invention of claim 1 discusses a photo-album having a touch-sensitive display.

Watanabe discusses a camera having a memory cartridge with a display.

Freeman discusses a chip card.

Etoh discusses an image pick-up device and detachable display device.

Etoh cannot be combined with Freeman for at least the reasons explained above regarding the inability for Watanabe to be combined with Freeman. Furthermore, Etoh and Watanabe are precision devices and cannot be combined in any way, shape, or form without materially changing the operation of each of the Etoh and Watanabe devices. Any combination

between the two is merely provided in hindsight and creates an inoperable device.

For at least the above reasons, applicant respectfully requests that the rejection of claim 1, and any claims dependent therefrom, in view of Watanabe, Freeman, and Etoh be withdrawn patentable

Applicant's Response to the
Rejections of the Dependent Claims

Claims 13-14 and 17-18 were rejected under 35 U.S.C. § 102(e) as being unpatentable in view of Watanabe. Claims 15, 16, 34, 35, 37, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Freeman. Claims 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Ray. Claims 25-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Freeman and Hornback. Claims 20, 21, 23, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Freeman and Rowland. Claims 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Hornback. Claims 4-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Freeman and Etoh. Claims 2 and 3 were rejected under 35 U.S.C. 103(a) as being

unpatentable over Watanabe in view of Freeman, Etoh, and Rowland. Claims 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe, Freeman, Etoh and Hornback.

As shown above, the pending independent claims are patentable. Accordingly, applicant respectfully submits that the pending dependent claims are patentable for depending from a patentable independent claim.

Conclusion

In light of the foregoing, applicant respectfully submits that this application, including each of claims 1-38, is in condition for allowance. Reconsideration and a favorable action are respectfully requested.

Respectfully submitted,

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